

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:17-cv-00618**

G. KENNETH ORNDORFF,

Plaintiff,

v.

VILLAGE OF MARVIN, and
MARIA GRAZIA SHKUT, in her individual
capacity

Defendants.

ORDER

v.

RALEY MILLER PROPERTIES, INC.,
RTS INVESTORS II, LLC,
DAVID MILLER, and
LARRY RALEY

Third-Party Defendants

THIS MATTER is before the Court on Defendant Village of Marvin's Motion to Dismiss (Doc. No. 6).

Plaintiff filed this case on September 15, 2017, in Union County Superior Court. On October 23, 2017, Defendants removed the matter to this Court and subsequently filed a Motion to Dismiss. Plaintiff timely filed an Amended Complaint in accordance with Fed. R. Civ. P. Rule 15 on October 26, 2017. Defendant's Motion to Dismiss has been rendered moot by Plaintiff's Amended Complaint.

THEREFORE Defendant's Motion to Dismiss is hereby **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED.

Signed: November 21, 2017

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

